

Atty. Dkt. No. 003829.P001

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Mark S. Young

Application No.: 09/738,003

Filed: December 14, 2000

For: Arbitration and Crossbar Device and  
Method

Examiner: Unknown

Art Unit: 2185

Office of Initial Patent Examination  
Filing Receipt Corrections  
Commissioner for Patents  
Washington, D.C. 20231**RECEIVED**

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**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

Enclosed is a copy of the Official Filing Receipt dated May 31, 2002, in connection with the above-identified patent application. It contains the following error(s):

1. Applicant Mark S. Young's city of residence is erroneously stated as "Residence Not Provided". The correct Applicant's City and State of residence is **Mountain View, CA**, as evidenced by the signed Declaration submitted on March 11, 2002, a copy of which is enclosed.

Please correct your records to reflect the above information and then forward to us a corrected filing receipt. The enclosed copy of the filing receipt is marked with the appropriate correction(s).

09/738,003

1

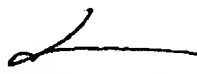
003829.P001

If you have any questions, please contact the undersigned.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 9/14/02

  
Michael J. Mallie, Reg. No. 36,591

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on September 27, 2002.

Date: 9-27-02

Name:   
Melanie Lyons



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/738,003	12/14/2000	2185	840	003829.P001	10	20	3

CONFIRMATION NO. 1404

Michael J. Mallie  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

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UPDATED FILING RECEIPT



\*OC000000008213136\*

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES

Date Mailed: 05/31/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Mark S. Young, (Residence Not Provided) → Mountain View, CA

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 02/28/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

## Title

Arbitration and crossbar device and method

Preliminary Class

711

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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**NOT GRANTED**

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# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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Firm Name: U.S. PATENT AND TRADEMARK OFFICE Art Unit 2185  
Fax Number: 1-703-746-9195 Telephone No.: \_\_\_\_\_  
From: Michael J. Mallie Reg. No.: 36,591  
Date: September 27, 2002 Time: \_\_\_\_\_  
BSTZ Matter: 003829.P001 Number of pages including cover sheet: \_\_\_\_\_  
In Re Patent Application of: Mark S. Young  
Application No.: 09/738,003  
Filed: 12/14/2000  
Title: ARBITRATION AND CROSSBAR DEVICE AND METHOD

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Enclosed are the following documents:

<input type="checkbox"/> Amendment/Response ( _ pgs)	<input type="checkbox"/> Declaration & PofA ( _ pgs)	<input type="checkbox"/> Reply Brief ( _ pgs)
<input type="checkbox"/> Appeal Brief ( _ pgs) (in triplicate)	<input type="checkbox"/> Drawings: # of sheets w/ ____ figs.	<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Utility Application ( _ pgs)	<input type="checkbox"/> Month Petition re Ext. of Time	<input type="checkbox"/> Resp. to Notice of Missing Parts ( _ pgs)
<input type="checkbox"/> 1.53(b) Cont. Application ( _ pgs)	<input type="checkbox"/> IDS & PTO 1449 ( _ pgs)	<input type="checkbox"/> Transmittal Letter ( _ pgs) (in duplicate)
<input type="checkbox"/> 1.53(b) Divisional Application ( _ pgs)	<input type="checkbox"/> Issue Fee Transmittal ( _ pgs)	<input type="checkbox"/> Fee Transmittal ( _ pgs) (in duplicate)
<input type="checkbox"/> 1.53(b) CIP Application ( _ pgs)	<input type="checkbox"/> Notice of Appeal ( _ pgs)	<input type="checkbox"/> Deposit Account Authorization
<input type="checkbox"/> 1.53(d) CPA Transmittal ( _ pgs)	<input type="checkbox"/> Petition re ( _ pgs)	<input checked="" type="checkbox"/> Request for Corrected Filing Receipt
<input type="checkbox"/> PCT Application ( _ pgs)	<input type="checkbox"/> Power of Attorney ( _ pgs)	<input checked="" type="checkbox"/> copy of Filing Receipt dated 05/31/2002
<input type="checkbox"/> Provisional Application ( _ pgs)	<input type="checkbox"/> Declaration by Inventor(s) ( _ pgs)	<input checked="" type="checkbox"/> copy of executed Declaration
<input type="checkbox"/> Assignment & Cover Sheet ( _ pgs)	<input type="checkbox"/> Supplemental Declaration ( _ pgs)	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Certificate of Transmission by Fax	<input type="checkbox"/> Preliminary Amendment ( _ pgs)	<input type="checkbox"/> Other: _____

### CERTIFICATE OF TRANSMISSION

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Date of Transmission 9-27-02

MELANIE LYONS

(Typed or printed name of person transmitting paper)

(Signature of person transmitting paper)

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Bib Data Sheet

CONFIRMATION NO. 1404

<b>SERIAL NUMBER</b> 09/738,003	<b>FILING DATE</b> 12/14/2000 <b>RULE</b>	<b>CLASS</b> 711	<b>GROUP ART UNIT</b> 2186	<b>ATTORNEY DOCKET NO.</b> 003829.P001
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**APPLICANTS**

Mark S. Young, Mountain View, CA;

\*\* CONTINUING DATA \*\*\*\*\*

None YEE

\*\* FOREIGN APPLICATIONS \*\*\*\*\*

None YEE

**IF REQUIRED, FOREIGN FILING LICENSE GRANTED**

\*\* 02/28/2001

Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<b>STATE OR COUNTRY</b> CA	<b>SHEETS DRAWING</b> 10	<b>TOTAL CLAIMS</b> 20	<b>INDEPENDENT CLAIMS</b> 3
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged	Examiner's Signature <u>YEE</u>	Initials		

**ADDRESS**

Michael J. Mallie

BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP

Seventh Floor

12400 Wilshire Boulevard

Los Angeles, CA 90025-1026

**TITLE**

Arbitration and crossbar device and method

<b>FILING FEE RECEIVED</b> 840	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees ( Filing )
		<input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )
		<input type="checkbox"/> 1.18 Fees ( Issue )
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit

Attorney's Docket No.: 003829.P001PATENTDECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
"ARBITRATION AND CROSSBAR DEVICE AND METHOD"

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the specification of which

   is attached hereto.  
  X   was filed on (MM/DD/YYYY) December 14, 2000 as  
 United States Application Number 09/738,003  
 or PCT International Application Number                       
 and was amended on (MM/DD/YYYY)                       
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>Number</u>	<u>Country</u>	<u>(Foreign Filing Date - MM/DD/YYYY)</u>	<u>Yes</u>	<u>No</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Application Number</u>	<u>(Filing Date - MM/DD/YYYY)</u>
<u>                    </u>	<u>                    </u>
<u>Application Number</u>	<u>(Filing Date - MM/DD/YYYY)</u>
<u>                    </u>	<u>                    </u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	(Filing Date - MM/DD/YYYY)	Status -- patented, pending, abandoned

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to Michael J. Mallie, **BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP**, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to Michael J. Mallie, (408) 720-8300.  
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Mark S. Young  
Inventor's Signature *Mark S. Young* Date 8-3-01  
Residence Mountain View California Citizenship U.S.A.  
(City, State) (Country)  
Post Office Address 2343 Perich Court  
Mountain View, California 94040

Full Name of Second/Joint Inventor \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)  
Post Office Address \_\_\_\_\_



APPENDIX A

William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Lisa N. Benado, Reg. No. 39,995; Bradley J. Berezna, Reg. No. 33,474; Michael A. Bernadieu, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Thomas M. Coester, Reg. No. 39,637; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Mimi Diemmy Dao, Reg. No. 45,628; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Justin M. Dillon, Reg. No. 42,486; Sanjeet Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Thomas S. Ferrill, Reg. No. 42,532; George Fountain, Reg. No. 37,374; James Y. Go, Reg. No. 40,621; James A. Henry, Reg. No. 41,064; Libby N. Ho, Reg. No. 46,774; Willmore F. Holbrow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W. Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Sang Hui Kim, Reg. No. 40,450; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; George Brian Leavell, Reg. No. 45,436; Kurt P. Leyendecker, Reg. No. 42,799; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Robert G. Litts, Reg. No. 46,876; Julio Loza, Reg. No. P47,758; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, Reg. No. P048,095; Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Chun M. Ng, Reg. No. 36,878; Thlen T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Robert B. O'Rourke, Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Kenneth B. Paley, Reg. No. 38,989; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; William F. Ryann, Reg. No. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey S. Schubert, Reg. No. 43,098; George Simion, Reg. No. P47,089; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Edwin H. Taylor, Reg. No. 25,129; John F. Travis, Reg. No. 43,203; Joseph A. Twarowski, Reg. No. 42,191; Mark C. Van Ness, Reg. No. 39,865; Tom Van Zandt, Reg. No. 43,219; Brent E. Vecchia, Reg. No. P48,011; Lester J. Vincent, Reg. No. 31,460; Archana B. Vittal, Reg. No. 45,182; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Firasat Ali, Reg. No. 45,715; and Raul Martinez, Reg. No. 46,904, my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

**APPENDIX B****Title 37, Code of Federal Regulations, Section 1.56  
Duty to Disclose Information Material to Patentability**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.